

TESTIMONY BY WESLEY K. MACHIDA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE HOUSE COMMITTEE ON FINANCE  
HOUSE BILL NO. 139

February 27, 2015  
11:00 A.M.

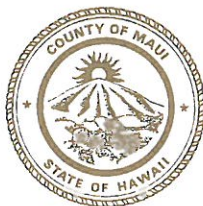
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO  
ASSIST ANAERGIA INC.

House Bill No. 139 authorizes the issuance of Special Purpose Revenue Bonds (SPRB) to assist Anaergia Inc. with the development of facilities for renewable non-fossil fuel production on Maui pursuant to Part V, Chapter 39A, Hawaii Revised Statutes.

The Department would like to advise the Legislature and prospective SPRB parties that should the legislation be approved, approval of SPRB issuance will require further discussion and satisfactory credit underwriting review of the financing components with respect to any proposed financing.

Thank you for the opportunity to provide testimony on this measure.

ALAN M. ARAKAWA  
MAYOR



200 South High Street  
Wailuku, Hawai'i 96793-2155  
Telephone (808) 270-7855  
Fax (808) 270-7870  
e-mail: mayors.office@mauicounty.gov

## OFFICE OF THE MAYOR

Ke'ena O Ka Meia  
COUNTY OF MAUI – Kalana O Maui

# TESTIMONY OF ALAN ARAKAWA, MAYOR COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON FINANCE

Friday, February 27, 2015  
11:00 a.m.  
Conference Room 308

## HB 139 - RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ANAERGIA INC.

Honorable Sylvia Luke, Chair  
Honorable Scott Y. Nishimoto, Vice Chair  
Honorable Members of the House Committee on Finance

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Thank you for this opportunity to testify in **STRONG SUPPORT** of **HB 139** which authorizes the issuance of special purpose revenue bonds to assist Anaergia Inc. ("Anaergia") with the development of facilities for renewable non-fossil fuel production on Maui.

### **Anaergia is developing two projects on Maui**

1. The County of Maui has contracted Anaergia to create the Maui Resource Recovery Facility (MRRF) Project, which will maximize resource recovery from a diverse range of waste streams, increase recovery of recyclable materials and produce renewable fuels. This unique public-private partnership will increase diversion of the current waste stream, lengthening the life of the County of Maui owned and operated Central Maui Landfill.
2. Anaergia is also developing the Maui Energy Park Project. This project will revitalize fallow agricultural lands in West Maui to grow an energy crop, while utilizing R-1 water for irrigation. This project will also produce renewable fuel.

### **The Benefits to the State and County**

Both projects will utilize anaerobic digestion, a well proven technology, create permanent jobs, and keep millions of dollars from leaving the state through fossil

fuel purchase. They will also allow an increase in firm renewable energy production on Maui, thus reducing the need to import fossil fuel into Hawai`i while promoting long-term energy security and energy cost stability.

Additionally, both projects will create a number of environmental and economic benefits for the County and State including the following:

- Reducing up to 85% of materials currently deposited into the central Maui landfill, and increasing the recovery of recyclable materials by at least 10 times.
- Reducing up to 200,000 tons per year of greenhouse gas emissions.
- Prolonging the life of the landfill by up to four times by increasing landfill diversion rate up to 80%.
- Diverting approximately 2.5 million gallons per day of R-1 recycled water, which will reduce or eliminate the use of injections wells in West Maui.
- Returning approximately 1,800 acres of fallow agricultural land to productive use and reducing soil erosion and wind-blown dust.
- The projects combined production of renewable energy and fuels for use in local communities will help reduce the State's reliance upon imported fossil fuels (i.e. eliminate millions of gallons of diesel imports per year.)
- The two projects represent an initial private capital investment of \$150 million which will provide a boost to Maui's economy while creating revenue at the State level.
- Combined the projects will create hundreds of construction jobs and dozens of permanent jobs.

Moreover, through the use of special purpose revenue bonds as a means of funding these projects, Anaergia should be able to provide the above-mentioned benefits with no investment or operational financial risk to the State or County.

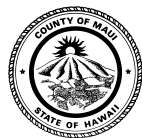
For these reasons, I believe these projects are in the best interest of the public and I strongly support HB 139.

Council Chair  
Mike White

Vice-Chair  
Don S. Guzman

Presiding Officer Pro Tempore  
Michael P. Victorino

Councilmembers  
Gladys C. Baisa  
Robert Carroll  
Elle Cochran  
Don Couch  
Stacy Crivello  
Riki Hokama



Director of Council Services  
David M. Raatz, Jr., Esq.

COUNTY COUNCIL  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII  
96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

February 26, 2015

TO: Honorable Sylvia Luke, Chair  
House Committee on Finance

FROM: Councilmember Gladys C. Baisa

A handwritten signature in cursive script, reading "Gladys C. Baisa".

SUBJECT: HEARING OF FEBRUARY 27, 2015; TESTIMONY IN SUPPORT OF  
HB 139, RELATING TO THE ISSUANCE OF SPECIAL PURPOSE  
REVENUE BONDS TO ASSIST ANAERGIA INC.

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Anaergia Inc. with the development of facilities for renewable non-fossil fuel production on Maui.

I support this measure for the following reasons:

1. Specifically, Anaergia's Waste-to-Energy Conversion Project which will result in the state of the art Maui Resource Recovery Facility
2. The Maui Energy Park offers significant benefits by converting approximately 1,800 acres of fallow agricultural lands in west Maui, where energy crops (low-cost and low-maintenance plants harvested to make biofuels) will be grown. The project will convert harvested energy crops and reducing or eliminating use of injection wells to produce renewable biofuel.
3. Through the utilization of special purpose revenue bonds as the means of funding, Anaergia may provide the benefits outlined above without investment or operational financial risk to the State or County.

For the foregoing reasons, I support this measure.

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## MEMORANDUM

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**TO:** HOUSE COMMITTEE ON FINANCE  
REP. SYLVIA LUKE, CHAIR  
REP. SCOTT Y. NISHIMOTO, VICE CHAIR

**FROM:** MICHAEL TRESLER, DIRECTOR OF BUSINESS DEVELOPMENT - PACIFIC

**SUBJECT:** HB139 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE  
BONDS TO ASSIST ANAERGIA

**POSITION:** SUPPORT

**DATE:** FEBRUARY 27, 2015

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Anaergia Services, LLC (Anaergia) would like to thank Chair Luke, Vice Chair Nishimoto, and the House of Representatives Committee on Finance as a whole, for taking the time to discuss HB139.

This bill relates to the potential issuance of Special Purpose Revenue Bonds to assist Anaergia in finalizing two renewable fuels and/or energy projects on Maui, which are nearly ready to go into the permitting and engineering phase. The bonds will be sold to private investors and will not be backed by the State of Hawaii or the County of Maui.

Anaergia is a worldwide expert in resource recovery, most notably through anaerobic digestion. The company has a 20 year track record and proven technology with a number of in-house patents and hundreds of projects to date. Because of Hawaii's physical isolation and high cost of energy, Anaergia feels Hawaii is an excellent candidate for anaerobic digestion, and is currently engaged in developing two projects on Maui using this technology.

### **Maui Resource Recovery Facility**

The first project is called the Maui Resource Recovery Facility (MRRF). Under a 20 year contract from the County of Maui, the facility will take municipal waste, currently going into the Maui County landfill, and significantly increase the recovery of recyclable materials from that waste. We believe that Anaergia's efforts will not negatively affect any recyclers currently in operation, and in fact may allow for expanded opportunities for these firms.

The remaining material will be processed to create renewable natural biogas, through anaerobic digestion. The renewable biogas can be used for power generation, household and commercial (heating/cooling) and transportation. Only about 15% of the incoming

municipal waste is expected end up in the landfill at the end of the process, lengthening the life of the landfill.

Anaergia's vision for this project is to set the benchmark for how municipal waste is dealt with in Hawaii and the rest of the world. The future of waste management is to increase recyclable recovery, produce renewable fuels from the balance, and reduce the amount of landfilled materials to the maximum extent possible. This will be accomplished while providing an opportunity for the County to save money in landfill operating costs and by deferring large capital investments for landfill expansions far into the future.

### **Maui Energy Park**

The second project is called the Maui Energy Park (MEP). This project is located in West Maui, where the plan is to grow an energy crop and process it into renewable natural biogas through anaerobic digestion. This project will revitalize up to 1,800 acres of high quality agricultural lands left fallow after the demise of sugar cane and pineapple in West Maui. MEP will use recycled water for the majority of its irrigation needs, allowing the nutrients in this water to be returned to the soil. The renewable natural biogas can be used for power generation, household and commercial (heating/cooling) and transportation.

Anaergia sees the MEP as a model approach for putting agricultural lands back into productive use across the state. The anaerobic digestion process is an efficient way to make renewable biogas with energy recovery several times higher than other processes.

Both projects provide a number of environmental and socio-economic benefits to the state, county and residents of the state of Hawaii. These include reduced materials going in the landfill, putting fallow Ag lands back into production, and creating renewable fuels which will provide energy cost stability and security for the state. These projects will create hundreds of short-term construction and long-term farming and operational jobs, thereby keeping millions of dollars a year in the State's economy.

Anaergia is seeking up to \$90 million in special purpose revenue bonds to support these two projects. These bonds will provide low-cost financing to offset the high cost of shipping materials and constructing these facilities in Maui. Anaergia has a long-term vision for Hawaii and believes that these projects can be duplicated on other islands to benefit the environment, the economy and Hawaii's residents. Subsequent projects will enjoy learning curves and possible economies of scale, making those projects less reliant on special purpose revenue bonds in the future.

The following page shows a summary of environmental as well as socio-economic benefits for both projects.

Anaergia would again like to thank the Committee for its time on this matter and stands ready to address any questions you may have during the hearing.

### **Environmental and Socio-Economic Benefits from Proposed Projects**

| <b>Project Benefits</b>   | <b>Project</b>        |
|---|-----------------------|
| Increase recyclable material recovery approximately ten-fold  | MRRF                  |
| Increase landfill diversion from a current level 43% to >75%  | MRRF                  |
| Increase municipal solid waste diversion from a current up to 85%, increase the life of the central Maui landfill | MRRF                  |
| Revitalize up to 1,800 acres of ag land, reducing soil erosion and dust problems                                  | MEP                   |
| Help in the use of approximately 2.5 million gallons per day of recycled water in W. Maui                         | MEP                   |
| Create approximately 200 construction jobs  | MRRF and MEP combined |
| Create approximately 60 permanent jobs  | MRRF and MEP combined |
| Replace the equivalent of almost 3,000,000 of gasoline per year by creating renewable natural biogas              | MRRF and MEP combined |
| Increase energy cost stability and security   | MRRF and MEP combined |
| Preserve open space through reduced need to expand the landfill and by keeping ag land in production              | MRRF and MEP combined |
| Provide over \$150 million of capital investment into the state   | MRRF and MEP combined |
| Provide approximately \$12 million per year of ongoing expenditures in Maui                                       | MRRF and MEP combined |



**TESTIMONY IN SUPPORT OF HB139  
RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS  
TO ASSIST ANAERGIA INC.**

TO THE HOUSE COMMITTEE ON FINANCE

Hawaii State Capitol, Conference Room 308  
February 27, 2015  
11:00AM

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee,

The Maui Chamber of Commerce **supports** HB 139 which authorizes the issuance of special purpose revenue bonds to assist Anaergia Inc. with the development of facilities for renewable non-fossil fuel production on Maui. Anaergia Services' efforts to generate renewable energy sources here in Hawai'i represents an important step forward for both our environment and our economy.

More specifically, we support their Waste-to-Energy Conversion Project which will result in the state-of-the-art Maui Resource Recovery Facility. Their Maui Energy Park also offers significant benefits by converting fallow West Maui agricultural land into energy crops and reducing or eliminating use of injection wells to produce renewable biofuel.

Anaergia's efforts create a sustainable win-win scenario for Maui's environment and economy. Project benefits will include:

- Enhancing the State's energy security and promoting cost stability;
- Providing over 10 megawatts of firm renewable power and/or renewable fuels;
- Reducing the carbon footprint on Maui;
- Extending the life of Central Maui's Landfill by increasing the current diversion rate by up to 100%;
- Increasing the amount of recycled materials;
- Placing into productive use approximately 1,800 acres of fallow agricultural lands;
- Using up to 3 million gallons of R-1 water otherwise disposed of through injection wells;
- Strengthening the economy through the creation of well-paying jobs.

Anaergia's projects will bring substantial environmental and economic to Maui.

Thank you for the opportunity to testify.

Sincerely,

Pamela Tumpap  
President





Email: [communications@ulupono.com](mailto:communications@ulupono.com)

HOUSE COMMITTEE ON FINANCE  
Friday, February 27, 2015 — 11:00 a.m. — Room 308

**Ulupono Initiative Strongly Supports HB 139, Relating to the Issuance of Special Purpose Revenue Bonds to Assist Anaergia Inc.**

Dear Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

My name is Murray Clay and I am Managing Partner of the Ulupono Initiative, a Hawai'i-based impact investment company that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally grown food, increase clean, renewable energy, and waste reduction. We believe that self-sufficiency is essential to our future prosperity, and will help shape a future where economic progress and mission-focused impact can work hand in hand.

**Ulupono strongly supports HB 139**, which authorizes the issuance of special purpose revenue bonds to assist Anaergia Inc. Ulupono's waste mission is to minimize the amount of waste going into the landfill. Maui has an urgent need for a waste solution, as ~36% of the waste currently is going to the landfill. Meanwhile, relative to the neighbor islands, O'ahu has the greatest percentage of waste diversion - ~74% - from the landfill due to more sorting and processing facilities, including the City and County of Honolulu's H-POWER waste to energy plant. After being processed by H-POWER, waste volume into the landfill can be reduced by 90% while subsequently creating electricity that can power O'ahu's homes. Yet, there is no waste to energy plants on the neighbor islands. Anaergia's project can help change that.

Anaergia's materials recovery facility and anaerobic digestion process will make a significant impact in extending the life of the landfill and contribute to the renewable energy mix of Hawai'i. This project was selected by the County of Maui as the best overall technology package to meet its needs in a competitive request for proposal. The special purpose revenue bond will help lower the overall cost of the project and make waste management more affordable for all members of the Maui community.

In addition, landfill space is limited in island communities. Therefore, projects such as Anaergia's proposed material recovery facility will reduce the need for future landfill space on Maui. Siting for future landfills can be difficult as the residents in nearby communities often oppose their development.

*Investing in a Sustainable Hawai'i*

Therefore, we believe the Committee should find that this project is in the public interest and support the special purpose revenue bond.

As Hawai'i's energy issues become more complex and challenging, we appreciate this committee's efforts to look at policies that support renewable energy production.

Thank you for this opportunity to testify.

Respectfully,

Murray Clay  
Managing Partner

## HB139

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| <u>Submitted By</u> | <u>Organization</u>           | <u>Testifier Position</u> | <u>Present at Hearing</u> |
|---------------------|-------------------------------|---------------------------|---------------------------|
| <u>Karl Bossert</u> | <u>Anaergia Services, LLC</u> | <u>Support</u>            | <u>No</u>                 |

Comments: Anaergia has had an opportunity to have a third party review of the House bill, HB139 for a SPRB. There are three changes that are important to have incorporated into the bill to strengthen it as it moves forward (see attached file with amendments to HB139). These amendments include; 1) removal of the word "Inc."; 2) changing the word "best" to "current" regarding "practices" as this legally more clear; 3) adding off-taker clarity to provide more options for sale of biogas and/or energy beyond sale to the utility. Anaergia humbly requests the Committee to incorporate these amendments. We would also like to extend our apologies to the legislators and staff members that may be inconvenienced in any way because of these amendments.

## Draft of Proposed Changes/Amendments

House of Representatives  
TWENTY-EIGHTH  
LEGISLATURE, 2015  
STATE OF HAWAII

H.B 139, H.D. 1

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# A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO  
ASSIST ANAERGIA-~~Inc.~~

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. The legislature finds that support for the development of renewable and efficient and secure energy systems in the State, which is geographically isolated from sources of oil, continues to be in the public interest. Anaergia~~-Inc.~~ ("Anaergia") is a global leader in offering sustainable solutions for the generation of renewable energy and the conversion of waste to resources.

Anaergia proposes to build, own, and operate:

(1) A project located in Central Maui that is designed to process up to 700 tons per day of municipal solid waste, green waste and sewage sludge. The features of this project include:

a) a material resource recovery facility (MRRF) to recover recyclable materials such as metal, cardboard, and glass;

b) anaerobic digester systems (used to break down organic materials); and

c) other processing equipment necessary to convert organics like municipal sludge, food waste, green

waste, and other materials to renewable methane rich bio-gas (similar to natural gas); and

- (2) A project to be sited on approximately 1,800 acres of fallow agricultural lands located in West Maui, where energy crops (low-cost and low-maintenance plants harvested to make biofuels) will be grown. This project will convert harvested energy crops into renewable methane rich bio-gas or renewable electricity through the use of anaerobic digester systems to be located in west Maui or central Maui.

In support of the above projects, the requested issuance amount of the special purpose revenue bonds considered by this Act has been carefully vetted and matches similar investment marks for infrastructure projects of this type. In addition to providing funding for the above renewable energy projects, revenue secured from the special purpose bonds will offer Anaergia critical financial flexibility in terms of its support of various related projects and initiatives and the deployment of internal capital. Continuing Anaergia's track record of recruiting investors and effectively allocating investment capital funds, planned end-goal projects and initiatives for this series of funding include:

- 1) enhanced source separation initiatives allowing for better recovery of recyclable materials;
- 2) reducing the carbon footprint by the equivalent of 33,000 cars;
- 3) significantly reducing the amount of municipal solid waste that is placed in landfills;
- 4) increasing recyclable material recovery;
- 5) revitalizing, and placing back into productive use, approximately one thousand eight hundred (1,800) acres of fallow agricultural lands;
- 6) creating and supporting well-paying new jobs in the Green Tech sector as well as approximately 200 jobs in construction and related industries during the building phases; and
- 7) generating substantial tax and related revenues for the State and the County of Maui.

More specifically, the legislature further finds that the benefits of the development of such facilities may include the following:

- (1) Reduction of up to 200,000 tons per year of greenhouse gas emissions from both projects;
- (2) Out-year optimization allowing for enhanced operational efficiencies, increased recovery of recyclable materials, and improved adaptability to future changes in waste composition and waste generation quantities;
- (3) More opportunities for "win-win" collaboration with local firms including recyclers, farmers, and transportation companies;
- (4) Enhanced and innovative revitalization efforts for fallow agricultural lands, including expanded soil erosion mitigation efforts, rehabilitation of depleted and acidified soils, and implementation of sustainable farming practices to include reduced pesticide usage and implementation of organic farming practices;

- (5) Advanced research and development efforts, which will allow Anaergia to better its ability to continually maintain organizational efficiency and most current industry ~~best~~ practices;
- (6) Conducting a full environmental impact study, which is not a requirement of the central Maui project but will allow for expanded public/community and governmental input on the proposed municipal waste processing facility;
- (7) Expanded public education and awareness programs related to solid waste, material reuse, recycling, sustainability, and renewable energy technologies as well as expansion of community investment and philanthropic activities; and
- (8) Expansion of on-the-job training programs and higher-level education scholarships;

The legislature finds that the development of the projects outlined above, as well as the associated projects and initiatives of Anaergia and its partners, will benefit the State in several ways including:



- (1) Reduction of up to 200,000 tons per year of greenhouse gas emissions;
- (2) Reduction of up to eighty-five (85) percent of materials deposited into and an increase in the recovery of recyclable materials of over ten times at the Central Maui Landfill;
- (3) Reduction or stabilization of county landfill disposal and operational costs over the long run;
- (4) Alleviation of treated water disposal issues, including the substantial reduction or elimination of injection well use in west Maui, through the use of recycled water for use to irrigate energy crops;
- (5) Creation of approximately sixty permanent local technical and semi-technical jobs at both facilities as well as approximately 200 temporary construction jobs during the building phase;
- (6) Production of renewable energy and renewable fuels from both facilities for use in local communities, which will help reduce the State's reliance on imported fossil fuels;

(7) Assistance in meeting the State's renewable energy goals by providing over 10 megawatts of firm renewable power; and

(8) Containment of dust clouds and reduction of soil erosion from fallow agricultural lands on the West Maui farm lands.

Through the utilization of special purpose revenue bonds as the means of funding, Anaergia may provide the benefits outlined above without investment or operational financial risk to the State or counties.

Accordingly, the legislature finds that the issuance of special purpose revenue bonds under this Act for Anaergia is in the public interest and for the public health, safety, and general welfare of the State.

SECTION 2. Pursuant to part V, chapter 39A, Hawaii Revised Statutes, the department of budget and finance, with the approval of the governor, is authorized to issue special purpose revenue bonds in a total amount not to exceed \$90,000,000.00, in one or more series, for the purpose of assisting Anaergia ~~Inc.~~, or a partnership in which Anaergia ~~Inc.~~ is a general partner, for the establishment and funding of energy production, waste

recovery, and related facilities and projects on the island of Maui.

The outputs of these facilities shall be made available ~~for use by members of the general public~~ by sale directly from Anaergia ~~Inc.~~ to viable off-takers and/or by sale to electric utilities servicing the public.

The legislature hereby finds and determines that Anaergia's ~~Inc.'s~~ planning, design, and construction of a material recovery facility, an anaerobic digester, and a facility to convert energy crops into renewable natural gas or renewable electricity constitutes a project as defined in part V, chapter 39A, Hawaii Revised Statutes, and the financing thereof is assistance to an industrial enterprise.

SECTION 3. The special purpose revenue bonds and the refunding special purpose revenue bonds issued under this Act shall be issued pursuant to part V, chapter 39A, Hawaii Revised Statutes, relating to the power to issue special purpose revenue bonds to assist industrial enterprises.

SECTION 4. The department of budget and finance is authorized, from time to time, including times subsequent to June 30, 2020, to issue special purpose revenue bonds in

whatever principal amounts the department shall determine to be necessary to refund the special purpose revenue bonds authorized in section 2 and to refund special purpose revenue bonds authorized by this section, regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi-project programs described in section 2. In making this determination, the department shall comply with federal law relating to the exemption from federal income taxation of the interest on bonds of the nature authorized by this section.

SECTION 5. The authorization to issue special purpose revenue bonds under this Act shall lapse on June 30, 2020.

SECTION 6. This Act shall take effect on July 1, 2015.

## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 12:09 AM  
**To:** FINTestimony  
**Cc:** psgegen@hotmail.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization     | Testifier Position | Present at Hearing |
|--------------|------------------|--------------------|--------------------|
| pat gegen    | Zero Waste Kauai | Oppose             | No                 |

Comments: Zero Waste Kauai opposes the Anergia Municipal Solid Waste (MSW) project on Maui. The claims they make regarding sustainable practices sound good as talking points but when the process they are proposing is looked at through the lens of people who understand and have worked with Municipal Solid Waste for decades the details do not support their claimed benefits. The best option for dealing with discarded materials can be found in the EPA waste hierarchy which focuses on Reduction, Reuse, Recycling before you look at energy production or landfilling. Definitely not as "exciting" as the "theoretical" solutions proposed by Anergia but a solution that is proven and more sustainable for our Islands. The proposed Maui Resource Recovery Facility is what is commonly referred to as a "Dirty MRF". Dirty MRF's are known for the loss of recyclable resources because of contamination and commingling with materials that decrease the ability to preserve the natural resources in the discards. Just imagine a truck full of discards from people's homes - paper, water based paints, unused residuals of household chemicals, aluminum and metal cans, batteries, light bulbs, food waste, pet feces, lots of plastic packaging, etc. Now imagine this being dumped on a tipping floor at the MRRF where materials that can be recycled are attempted to be recovered from this hodgepodge of toxic and dirty materials. Many valuable resources will be contaminated to the point that they can't be recovered or sold on the commodities market. Dirty MRFs have very low levels of Materials Recovery. Then the residual materials are pushed through presses to create dry and wet streams. The wet streams will contain liquids ranging from water to paint to battery acids to poisonous chemicals (including mercury from CFL's that end up in people's garbage cans) and they propose to send this through an anaerobic digestion process. While Anergia has expertise in AD, an MSW stream as described is a horrible feedstock and will not produce good results in an AD. Then - Where does this liquid stream go??? The solids are to become a form of a "Refuse Derived Fuel". This "fuel" will contain plastics and paper (easily recyclable if clean) which will contain the most BTU's to glass pieces and residual metals and other materials that when burned will release toxins and dioxins into our air. Is this refuse derived fuel going to be burned on Maui? I don't want it burned in my backyard! If Anergia's process and plan is such a good deal financially for Maui - why do they need the state assistance this bill proposes? If the process is so good and has all of these benefits it should be able to stand on it's own merits. Can Anergia prove their claims of being able to achieve the outcomes they claim in any other facilities? Does the State of Hawaii want to finance experimental processes when dealing with all of the nasty items found in MSW? In Summary - Anergia is proposing a solution that is not sustainable, not good for the environment, and financially will prove to be bad for the residents of Maui.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or

directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 2:13 PM  
**To:** FINTestimony  
**Cc:** tominmaui@icloud.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/25/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By            | Organization  | Testifier Position | Present at Hearing |
|-------------------------|---------------|--------------------|--------------------|
| Tom Blackburn-Rodriguez | Go Maui, Inc. | Support            | No                 |

Comments: February 26, 2015 Representative Sylvia Luke, Chair Representative Scott Nishimoto, Vice Chair HOUSE COMMITTEE on FINANCE HEARING: Friday, February 27, 2015, Conference Room 308 RE: In Support of HB139, Relating to the Issuance of Special Purpose Revenue Bonds to Assist Anaergia To Chair Luke, Vice Chair Nishimoto, and Distinguished Members of the House Committee on Finance: Go Maui strongly supports HB 139 and Anaergia's efforts to generate renewable energy sources here in Hawai'i. Go Maui is a nonpartisan organization that engages and represents local residents on key initiatives and issues that affect Maui's quality of life. Anaergia's Waste-to-Energy Conversion and Maui Energy Park projects will offer Maui's residents significant environmental and economic benefits, which include but are not limited to: Offers significant benefits by converting fallow West Maui agricultural land into energy crops and reducing or eliminating use of injection wells to produce renewable biofuel. • Significantly extending the Life of Central Maui's Landfill; • Enhancing the State's energy security and promoting cost stability; • Creating quality green-tech jobs for our residents; • Providing over 10 megawatts of firm renewable power and/or renewable fuels; • Reducing the carbon footprint on Maui; • Increasing the amount of recycled materials; • Placing into productive use approximately 1,800 acres of fallow agricultural lands; • Using up to 3 million gallons of R-1 water otherwise disposed of through injection wells; Given the substantial environmental and economic benefits that Anaergia's projects will bring to Maui, we ask that the Legislature approve HB 139. Sincerely, Tom Blackburn-Rodriguez Executive Consultant Go Maui, Inc. tominmaui@icloud.com 808-283-4570

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**finance1-Kim**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 9:01 PM  
**To:** FINTestimony  
**Cc:** ellenfly@aol.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/24/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| erin randle  | Individual   | Support            | No                 |

Comments: Dear Rep. Luke and Committee Members, I am in support of HB139. We were residents of Maui for over 20 years. We now live on Oahu. The main reason we moved was the cost of living and lack of good paying jobs on Maui. One of my friends told me that there is a company that wants to invest \$150 million in Maui to make green energy. I fully support this type of thinking, not only for Maui, but all over the state. I did some research and found Anaergia's plan includes processing rubbish and growing energy crops. I knew a number of people who lost their jobs when Maui Pineapple Company went out of business. I also watched the West Maui hillsides turn brown over the years. Putting farmlands and farmers back to work should be a focus of state and local government. What a great opportunity to do that and reduce importing fossil fuels. Please vote yes on HB139! Mahalo, Erin and Rush Randle

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 8:43 AM  
**To:** FINTestimony  
**Cc:** alana@alanakay.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Alana Kay    | Individual   | Oppose             | No                 |

Comments: We need to vet this out more before we commit to it and the contract is way too long. We will be stuck with something we may be very sorry about some day. This decision impacts the citizens very heavily and needs to show great community support before it is undertaken.

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February 26, 2015

Representative Sylvia Luke, Chair  
Representative Scott Nishimoto, Vice Chair  
HOUSE COMMITTEE on FINANCE  
HEARING: Friday, February 27, 2015, Conference Room 308

RE: In Support of HB139, Relating to the Issuance of Special Purpose Revenue Bonds to Assist Anaergia Inc.

To Chair Luke, Vice Chair Nishimoto, and Distinguished Members of the House Committee on Finance:

I am in support of HB139 and encourage you to pass the bill for consideration by the full House. This bill will:

- Not cost taxpayers any money. All risk will be borne by private investors.
- Add to the State's renewable energy goals.
- Provide much needed energy generation in West Maui.
- Diversify Maui's economy with a new employer and new technologies.
- Diversify Maui's energy supply lessening our reliance on imported fossil fuels.
- Divert waste from the landfill extending the life of Maui's landfill.
- Support agriculture.
- Recycle R1 wastewater by using it on fuel crops.

The positive outcomes are many. Please support HB139.

Aloha,

A handwritten signature in black ink, appearing to read 'Anders Lyons', written in a cursive style.

Anders Lyons

## FIN-Jo

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 8:29 AM  
**To:** FINTestimony  
**Cc:** bkaneshige@outlook.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By      | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| barbara kaneshige | Individual   | Oppose             | No                 |

Comments: if government would look at the larger picture it would realize mandatory recycling is a necessity and that we should do everything in our power to encourage it. nyc, san Francisco, and cities with populations of several millions all recycle. we are an island. smell the coffee.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 8:19 AM  
**To:** FINTestimony  
**Cc:** kcecheve@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By       | Organization | Testifier Position | Present at Hearing |
|--------------------|--------------|--------------------|--------------------|
| Charlene Echeverri | Individual   | Oppose             | No                 |

#### Comments:

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 11:47 AM  
**To:** FINTestimony  
**Cc:** debra@debragreene.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Debra        | Individual   | Oppose             | No                 |

Comments: This Anaergia project was never properly vetted. It is likely illegal. The mayor signed the agreement behind the backs of the Maui County Council and the people of Maui. Please oppose until due process has been enacted.

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Aloha Mai Members of House Finance Committee:

- 1) Clean energy in Maui, and fortunate to have such technology. This is why:
- 2) Creating more jobs for the Ohana. Well paid jobs will support our ohana.
  - a) just imagine the economic value to all our ohana--food, homes, medical benefits, sending our children to colleges
  - b) all our community groups to benefit
  - c) diversity of employment from office, to plant. Many new numbers of jobs.
- 3) Malama the Aina. Project takes care of our land.
- 4) Having more agricultural lands, putting farmers back to work.
- 5) Project gives us another way of producing energy, another great thing for sustainability.

I support this winning idea for the people, for the land, for clean energy. Anaergia is creating a winning deal for all.

Mahalo nui loa,

Leonard Kimokeo Kapahulehua

## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 12:10 PM  
**To:** FINTestimony  
**Cc:** lucia@luminousadventures.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Lucia Maya   | Individual   | Comments Only      | No                 |

Comments: As a Makawao, Maui resident and voter, I strongly support the continuation and expansion of the "3 Can Plan" to make recycling easier and much more accessible. This will encourage many more to recycle and will greatly reduce our landfill costs. Thank you.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 8:55 AM  
**To:** FINTestimony  
**Cc:** miasarsfield@gmail.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By  | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Mia Sarsfield | Individual   | Oppose             | No                 |

Comments: NO Aenergia plant WITHOUT an environmental assessment!!

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 12:11 PM  
**To:** FINTestimony  
**Cc:** noahhardwick1@gmail.com  
**Subject:** \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By  | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Noah Hardwick | Individual   | Oppose             | No                 |

### Comments:

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 12:05 PM  
**To:** FINTestimony  
**Cc:** ricbillman@gmail.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Richard Billman | Individual   | Oppose             | No                 |

Comments: My name is Richard Billman, and I am from Maui. Thank you for the opportunity to submit testimony as a private citizen on HB 139. I wish to defend the future of Maui. I am voicing strong opposition to HB 139. Aenergia, a waste-to-fuel company, will build a garbage disposal plant without an EIS (Environmental Impact Statement). Please know the the Refuse Derived Fuel (RDF) which will be generated by Aenergia has no customers on Maui. The proposed refuse plant will require over \$150 Million in payments by Maui County and the mayor has already unilaterally signed that contract bypassing the county council. This is wrong. Do not support this back room deal. Nearly 2000 petitions and an independent survey show that nearly 100% of the Maui recycling test neighborhood residents want to continue the 3 can recycling plan. The county administration is ignoring the wishes of these citizens. The recycling program has already been halted. This is bad news for sustainability and transparency on Maui. The Mayor, previous Governor and OHA all signed on to a 70% waste reduction sustainability goal by 2030, yet we are about to do away with curbside recycling. Why? Bonds for Aenergia support this removal of our right to recycle on Maui. The cost data at <http://www.zerowastemaui.net/cost%20per%20ton%208.28.13.xls.pdf> is from a county employee. The initial rollout of curbside recycling cost only \$43/year per household only 20% of the \$216 per year we pay already for solid waste disposal. Why discontinue this when it costs less than \$4 per month (12 cents a day). It costs \$130/ton for curbside recycling to process but it costs \$200/ton to process drop box recycling. It is wrong to do this to support a plant where an EIS has not even been performed. Is waste-to-energy the highest and best use of our garbage? Not according to the "EPA hierarchy of waste management": Source reduction and reuse is most preferred. If we are looking at sustainable methods for Maui and our state we must consider that preferred hierarchy and not ignore the EPA. Will the state senate make moves away from recycling and sustainability? Are we really that backwards? I think not! In a unanimous opinion of a survey sent to Maui Meadows Neighborhood association members in the recycling Pilot area the respondents 100% unanimously agreed that they wanted curbside recycling, zero were opposed this. 96% indicated they were in favor of county-based recycling pickup, 4% had no opinion. I believe have about 750 households on 500 properties in Maui meadows. In this matter I have full confidence and every expectation in our esteemed state legislature to uphold what is best for the people of Maui and to represent the needs and wishes of the citizens of Maui. Noting there is no EIS for this project, I remind you of the constitution of the State of Hawaii article XI-Conservation, control and development of resources: "Section 1. For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State. All public natural

resources are held in trust by the State for the benefit of the people.” Our constitution demands that you protect our natural resources. Please uphold the public trust doctrine. I thank you all for your consideration of these important questions and look forward to transparency and answers that benefit our community. Richard Billman Kihei, Hawaii 96753 House District 11 Senate District 6

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 9:19 AM  
**To:** FINTestimony  
**Cc:** ritahands@yahoo.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Rita Massey  | Individual   | Oppose             | No                 |

Comments: As a Maui resident I ask you do not approve funding for Aenergia plant in Maui at this time. We have not had enough information or debate of the issue in our own county. Although the mayor says it's a "no cost" proposal and doesn't need to go through the Council here he's asking the State for money? Too many questions yet to go ahead. Thank you.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 7:50 AM  
**To:** FINTestimony  
**Cc:** sd3@hawaii.rr.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By  | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Susan Douglas | Individual   | Oppose             | No                 |

Comments: need an EIS, too much money probably anyway

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 7:43 AM  
**To:** FINTestimony  
**Cc:** susaneo@hawaii.edu  
**Subject:** \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Susan Offermann | Individual   | Oppose             | No                 |

#### Comments:

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 9:01 AM  
**To:** FINTestimony  
**Cc:** terez.amato@yahoo.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By        | Organization | Testifier Position | Present at Hearing |
|---------------------|--------------|--------------------|--------------------|
| Terez Amato Lindsey | Individual   | Oppose             | Yes                |

Comments: I vehemently oppose this measure. HB 139 is bad for taxpayers and bad for our environment. This is not a sustainable solution for Maui County's long term goals. Please do not pass this measure.

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 11:07 AM  
To: FINTestimony  
Cc: coraflora@live.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| cora         | Individual   | Oppose             | No                 |

Comments: Please do more for the environment, and our people on Maui Island.

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 9:27 AM  
To: FINTestimony  
Cc: kailakani@yahoo.com  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By      | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| Dale Nelson-Floto | Individual   | Oppose             | No                 |

Comments:

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 9:30 AM  
To: FINTestimony  
Cc: dannygr@hawaiiantel.net  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Daniel Grantham | Individual   | Oppose             | No                 |

Comments: The bidding process for this does not appear to have been fair, requiring a special license that took to long to get for local companies that are already recycling in Maui. This needs to be re-done with equal access bidding and clear evidence of recycling commitment and competence.

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 11:01 AM  
To: FINTestimony  
Cc: mauifaith@gmail.com  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Faith Ewbank | Individual   | Support            | Yes                |

Comments:

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 9:31 AM  
To: FINTestimony  
Cc: fred@globalmediaproductions.com  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Fred Spanjaard | Individual   | Oppose             | No                 |

Comments:

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Honorable Chair Esteemed Committee Members: I am Dr. Joe Ritter from Maui

It truly is my privilege to submit testimony as a private citizen on HB 139.

I speak today to defend the future of Maui. Regarding HB 139 I state my strong opposition. This Bill supports Mayor Arakawa's contract plan to kill recycling on Maui. Aenergia will build a garbage disposal plant without an EIS (Environmental Impact Statement).

The Refuse Derived fuel generated has no customers on Maui.

The proposed refuse plant will require over \$150 Million in payments by Maui County and the mayor has already unilaterally signed that contract bypassing the county council. This is wrong.

Do not support this back room deal.

Nearly 2000 petitions and an independent survey show that the county administration is ignoring the wishes of nearly 100% of the Maui recycling test neighborhood request to continue the 3 can recycling plan. It has already been halted. This is bad news for sustainability and transparency on Maui.

The Mayor, Previous Governor and OHA all signed on to a 70% waste reduction sustainability goal by 2030 –Yet we are about to do away with curbside recycling. Why? Bonds for Aenergia support this removal of our right to recycle on Maui.

The cost data at <http://www.zerowastemaui.net/cost%20per%20ton%208.28.13.xls.pdf> is from a county employee. The initial rollout of curbside recycling cost only \$43/year per household only 20% of the \$216 per year we pay already for solid waste disposal. Why discontinue this when it costs less than \$4 per month (12 cents a day).

It costs \$130/ton for curbside recycling to process but it costs \$200/ ton to process drop box recycling. by taking away Maui's recycling program it actually costs more to recycle. It is wrong to do this to support a plant where an EIS has not even been performed.

Is waste to energy the highest and best use of our garbage? Not according to the "EPA hierarchy of waste management": Source reduction and reuse is most preferred. If we are looking at sustainable methods for Maui and our state we must consider that preferred hierarchy and not IGNORE THE EPA..

The Maui contract with Aenergia was drafted not by the solid waste division in fact SWD was banned from involvement and contact and over the next 20 years the county will be obligated to pay over \$150M to Energia, yet this was NEVER voted on by the Maui council. Yet you propose funding Aenergia? Do not support these activities which are at best questionable legally. Enough back room deals!

Will the state senate make moves away from recycling and sustainability? Are we really that backwards? I think not!

In a unanimous opinion of a survey sent to Maui Meadows Neighborhood association members in the recycling Pilot area the respondents 100% unanimously agreed that they wanted curbside recycling, Zero were opposed this- 100% want this. And 96% indicated they were in favor of county based recycling pickup, 4% had no opinion. I believe have about 750 households on 500 properties in Maui meadows.

25 people delivered 2000 signatures petitioning Mayor Arakawa not to kill recycling, and these bonds are just the higher level funding for that same effort.

In this matter I have full confidence and every expectation in our esteemed state legislature to uphold what is best for the people of Maui and to represent the needs and wishes of the citizens of Maui.

Noting there is no EIS for this project, I remind you of the constitution of the State of Hawaii article XI-Conservation, control and development of resources: "Section 1. For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State. All public natural resources are held in trust by the State for the benefit of the people."

Our constitution demands that you protect our natural resources. Please uphold the public trust doctrine.

I thank you all for your consideration of these important questions and look forward to transparency and answers that benefit our community.

Dr. Joe Ritter-Kihei Hawaii 96753 House District 11 Senate District 6

From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 10:36 AM  
To: FINTestimony  
Cc: jgelert@yahoo.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| John Gelert  | Individual   | Oppose             | No                 |

Comments: We need more recycling!

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 10:53 AM  
To: FINTestimony  
Cc: wao-hsl@WeAreOne.cc  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Joseph Kohn MD | Individual   | Oppose             | No                 |

Comments:

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, February 25, 2015 3:06 PM  
To: FINTestimony  
Cc: ktk@biodiesel.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/25/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Kelly King   | Individual   | Oppose             | No                 |

Comments: This project has great community opposition as it does not meet all the qualifications of the RFP, is based on misinformation presented by the County of Maui, and hurts local businesses by allowing a multi-national corporation to manage all landfill material and export profits. Under the agreement signed by the Mayor, Maui County will have to pay tipping fees (currently not paid at all) to Anaergia which could cost upwards of \$8million/year, yet the Mayor keeps claiming the new model will save money for taxpayers. The Anaergia project has been deferred by the Maui County Council, and there are no indications that the County will have money in its budget to cover these costs. The objections to this project are a large part of the reason the Council voted to audit the Dept. of Environmental Management. Please wait until that audit is completed before supporting this ill-conceived idea!

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 10:17 AM  
To: FINTestimony  
Cc: kstover@maui.net  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM\*

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Ken Stover   | Individual   | Oppose             | No                 |

Comments:

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 9:47 AM  
To: FINTestimony  
Cc: Teri@TeriSherrow.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By     | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| Marie T. Sherrow | Individual   | Oppose             | No                 |

Comments: The Mayor is acting on his own without input from our island community and we strongly oppose any large infrastructure that will affect us without our opinions being heard. We oppose this measure until such time as an environmental impact can be accomplished. We oppose this measure as our tax dollars are being diverted to this without our permission, our input or without having experts in the energy fields comment as to the viability of this project. We can be a model of sustainable living for the world to use as an example and this project is already being strongly debated in the environmental communities as not being good for the mainland. Why would we want this here on our pristine island? We can work together to create a more sustainable future for Maui using the minds of our communities to come up with solutions and not have major decisions like this be made by a few. Mahalo, Teri Sherrow

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 11:42 AM  
To: FINTestimony  
Cc: Minoux13@yahoo.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Mercedes Minoux | Individual   | Oppose             | No                 |

Comments: Please oppose HB139. The people of Maui county want and need recycling.

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 11:02 AM  
To: FINTestimony  
Cc: mmmmahalo2000@aol.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Mike Moran   | Individual   | Oppose             | No                 |

Comments: Respectively, please vote against this proposal. This is premature action at best, and possibly a poor decision. Why are we rushing on this matter. please vote NO Mahalo, Mike Moran Maui

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Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By     | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| Phyllis Robinson | Individual   | Comments Only      | No                 |

Comments: Anergia does not qualify for bids on projects of this proportion. They do not have 3 years of experience with the methods they are proposing for Maui Island's landfill. Your people better check in to this before you go issuing bonds with tax payer dollars. Please do your due diligence.

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 10:04 AM  
To: FINTestimony  
Cc: boboffermann@gmail.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By     | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| Robert Offermann | Individual   | Oppose             | No                 |

Comments: I urge you to withhold support for this misbegotten project. The contract with Anaergia was created in secret without any input from the people of Maui or their elected representatives, or even the county's own specialists in solid waste disposal. It obligates the county to pay large fees and exposes it to enormous potential penalties. There was no EIS or any other examination of the viability of the proposed project. The state should not support this project until there has been an opportunity to examine it and determine that it is in the best interests of Maui and of Hawaii.

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February 25, 2015

Representative Sylvia Luke, Chair

Representative Scott Nishimoto, Vice Chair

HOUSE COMMITTEE on FINANCE

HEARING: Friday, February 27, 2015, Conference Room 308

RE: **In Support** of HB139, Relating to the Issuance of Special Purpose Revenue Bonds to Assist  
Anaergia

To Chair Luke, Vice Chair Nishimoto, and Distinguished Members of the House Committee on Finance:

I sincerely believe HB 139 represents a *win-win* for Maui County because passage of this Bill will allow Anaergia to play an important role in advancing both environmental and economic goals (e.g. creating quality green tech/clean tech jobs) to benefit island residents.

Positive outcomes derived from passage of HB 139 will include but not be limited to:

- Enhancing the State's energy security as well as promoting cost stability;
- Providing over 10 megawatts of firm renewable power and/or renewable fuels;
- Reducing the carbon footprint on Maui;
- Extending the life of Central Maui's Landfill by increasing the diversion rate up to 100%;
- Increasing the amount of recycled materials;
- Placing into productive use approximately 1,800 acres of fallow agricultural lands;
- Using up to 3 million gallons of R-1 water otherwise disposed of through injection wells;
- Strengthening the economy through the creation of well-paying green-tech jobs.

With that in mind, I sincerely hope that you will support passage of HB 139 because in so doing Maui *nei* will reap significant long-term environmental and economic benefits that will enhance the quality of life for our residents.

Humbly yours,

*Samuel W. Millington*

Samuel W. Millington

581 Komo Ohia

Wailuku, HI 96793

808-446-4690



From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 10:37 AM  
To: FINTestimony  
Cc: sam@swvs.net  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Sam Small    | Individual   | Oppose             | No                 |

Comments: The Mayor should not take this action without County Council. We want an environmental impact study.

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To: FINTestimony  
Cc: tampaltin@gmail.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By  | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Tamara Paltin | Individual   | Oppose             | No                 |

Comments: I am in opposition of using special purpose revenue bonds for anaergia they have not shown that they have actually made this particular technology work by citing examples where they have successfully built something of this nature before do not let them experiment on our dime and they completely bypassed any check and balance and have not gotten any sort of approval to move forward from the county council of Maui county please do not pass house bill 139

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To: FINTestimony  
Cc: PelesGrrl@gmail.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By     | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| Trinette Furtado | Individual   | Oppose             | No                 |

Comments: Aloha mai kākou, esteemed Committee Chair Sylvia Luke, Vice Chair Scott Nishimoto and committee members. `O wau o Trinette Furtado. Noho au ma ke ahupua`a o Keali`inui, i ka moku o Hamakualoa ma ka mokupuni o Maui. I am writing to request that you **STRONGLY OPPOSE** this measure, HB139. The deal with Anaergia made by the County of Maui did not include a transparent process with public input and was hurried through without significant reason. It does NOT account for recycling efforts that are currently done within the county and appears to do away with recycling altogether, in favor of incinerating waste for energy. It is true that Hawai`i needs more sustainable sources of energy, but these sources need to be looked at critically and with an eye towards the resources, environment and unique positioning of Hawai`i geographically. We **NEED** recycling! It isnt only great for minimizing the impact of our garbage and is healthier for our `āina, but is also healthier for our honua. Maui County has already promised Anaerg ia over \$150M plus tipping fees for a project that they will continue to own, manage and administer. What role has the county in something like that going forward? I feel that issuing SPRBs for a company that supposedly has agreed to absorb the cost of construction, operation, etc itself, is wasting money where it does not need to be wasted. What real, long-lasting benefit does it have for the people of Maui County? For the State? Why not put those SPRBs into those recycling businesses struggling to offer these services we desperately need? I humbly request that you use a critical eye when looking at this issue and **OPPOSE** the passage of HB139. Mahalo for your time, Trinette Furtado Keali`inui, Hamakualoa, Maui, Hawai`i

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 2:08 PM  
**To:** FINTestimony  
**Cc:** orchid6128@aol.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| deb mader    | Individual   | Oppose             | No                 |

Comments: Aloha, I would like to strongly OPPOSE HB139. Living on Maui, we already suffer bad air quality from cane burning most of the year, violations of the clean air act at the HC&S mill which burns coal for energy, as well as pesticide drift and vog. This "deal" was made between our Mayor Alan Arakawa and Anaergia, without public testimony or a vote by our county council. How can such a huge project move forward without an Environmental Impact Study at ALL PLANNED SITES? In the waste to energy process, toxins are created at various stages of such thermal technologies, and not only at the end of the stack. These can be created during the process, in the stack pipes, as residues in ash, scrubber water and filters, and in fact even in air plumes which leave the stack. There are no safe ways of avoiding their production or destroying them, and at best they can be trapped at extreme cost in sophisticated filters or in the ash. The ultimate release is unavoidable, and if trapped in ash or filters, these become hazardous wastes themselves. The pollutants which are created, even if trapped, reside in filters and ash, which need special landfills for disposal. In case energy recovery is attempted, it requires heat exchangers which operate at temperatures which maximize dioxin production. If the gases are quenched, it goes against energy recovery. Such projects disperse incinerator ash throughout the environment which subsequently enter our food chain. Incinerator technological intervention in the waste stream distorts waste management. Such systems rely on minimum guaranteed waste flows. It indirectly promotes continued waste generation while hindering waste prevention, reuse, composting, recycling, and recycling-based community economic development. It costs cities and municipalities more and provides fewer jobs than comprehensive recycling and composting and also hinders the development of local recycling-based businesses. Those of us who live here should be able to weigh in on this issue before the mayor signs a contract promising a certain amount of waste to a company as he axes our curbside recycling program that almost 100% of residents in the program feel is a success. Please oppose this bill. Sincerely, Deborah Mader Kihei

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 26, 2015 2:37 PM  
**To:** FINTestimony  
**Cc:** rozfromoz@me.com  
**Subject:** Submitted testimony for HB139 on Feb 27, 2015 11:00AM

### **HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By      | Organization | Testifier Position | Present at Hearing |
|-------------------|--------------|--------------------|--------------------|
| Rosalind McKevitt | Individual   | Oppose             | No                 |

Comments: The 3 Can Plan Curbside Recycling Project can resume & expand immediately. No environmental impact has yet been done for this proposed incineration project, & is not slated to be built for several years. Meanwhile, county-wide neighborhood recycling has proven effective in reducing landfill dumping, is convenient, air quality friendly, & good for the aina.

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finance1-Kim

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 9:32 PM  
To: FINTestimony  
Cc: tookie49\_2004@yahoo.com  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**LATE**

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Daniel Kanahele | Individual   | Oppose             | No                 |

Comments:

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finance1-Kim

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To: FINTestimony  
Cc: tookie49\_2004@yahoo.com  
Subject: \*Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**LATE**

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Daniel Kanahele | Individual   | Oppose             | No                 |

Comments:

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 26, 2015 5:28 PM  
To: FINTestimony  
Cc: seanhills53@gmail.com  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**LATE**

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By             | Organization | Testifier Position | Present at Hearing |
|--------------------------|--------------|--------------------|--------------------|
| Timothy Sean Payne Hills | Individual   | Oppose             | No                 |

Comments: What happened to the EIS in regards to this, and why is Maui County not continuing with the three can recylce plan?

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Sent: Thursday, February 26, 2015 3:36 PM  
To: FINTestimony  
Cc: keoki@maui.net  
Subject: Submitted testimony for HB139 on Feb 27, 2015 11:00AM

**HB139**

Submitted on: 2/26/2015

Testimony for FIN on Feb 27, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Keoki Sousa  | Individual   | Oppose             | No                 |

Comments: To build the Aenergia plant WITHOUT an environmental assessment is absolutely unacceptable because the public will have no way to know if there are unforeseeable environmental impacts, and will also permanently kill the recycling program that Maui County terminated last month.

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**LATE**

Honorable Chair Esteemed Committee Members: I am Dr. Joe Ritter from Maui. It truly is my privilege to stand before you and speak as a private citizen on HB 139. I speak today to defend the future of Maui.

I OPPOSE HB 139. I am not against new or clean technology, far from it. But this bill supports a company in building waste disposal plants while ignoring requirements for an Environmental Impact statement which has not yet been done, it has already forced the end of recycling already on Maui.

In addition to the minimum of \$90M at stake today the proposed refuse plant will require a minimum of over \$150 Million in 2015 dollars in tipping fee payments by Maui County. The Maui mayor has already unilaterally signed that contract bypassing the county council authority. The people of Maui have been told that this plant needs no EIS because it is free. They have also been told in the Maui news by Director of Environmental Management Ginoza that recycling on Maui causes global warming. This is wrong and outrageous.

Do we really have to kill recycling to give this company \$240 million dollars? The initial rollout of curbside recycling on Maui cost only \$43/year per household only 12 cents a day and would cost less if Maui county were to make reasonable waste contracts to derive revenue from recyclables like Oahu county does. But Maui county administration makes up statements like recycling causes global warming to justify terminating recycling and pays quadruple what Oahu does. Don't be a party to this farce. Do not support these activities which are at best questionable legally. The people of Hawaii deserve transparency.

The Mayor, Previous Governor and OHA all signed on to a 70% waste reduction sustainability goal by 2030 –Yet we are about to do away with curbside recycling. Why? To divert the waste stream to Aenergia when we should be investing in solar and wind. 1800 acres for fuel to produce biogas-methane? Make a solar Photovoltaic field with water pumped storage instead.

Nearly 2000 petitions and an independent survey show that the county administration is ignoring the wishes of nearly 100% of the recycling test neighborhood request to continue the 3 can recycling plan. In a survey sent to MMNA members the respondents 100% unanimously agreed that they wanted curbside recycling, and 96% indicated they were in favor of county based recycling pickup. Who wouldn't be? Are you?

25 people delivered 2000 signatures petitioning Mayor Arakawa not to kill recycling, and this bill in its current form is just the higher level funding for that same effort. I have every expectation that our esteemed state legislature will transparently uphold what is best for the people of Maui and to represent the needs and wishes of the citizens of Maui and Hawaii.

Is waste to energy the highest and best use of our garbage? Not according to the "EPA hierarchy of waste management": Source reduction and reuse is most preferred. If we

are looking at sustainable methods for Maui and our state we must consider that preferred hierarchy and not IGNORE THE EPA. The Aenergia project in its current embodiment in fact provides a disincentive to recycle or reduce usage.

This bill takes us down a path that is hard to reverse. It is wrong to do this to support a plant where an EIS has not even been performed yet. This bill paves this road toward fascist privatization without recycling and without concern for the environment. Our constitution demands that you protect our natural resources. Please uphold the public trust doctrine.

I thank you all for your consideration of these important questions and look forward to increased transparency and answers that benefit our community.

Please do not pass this bill. Thank you.